

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Brian D. Welsh
Amy L. Welsh
Debtor(s)

Bankruptcy Case No.: 20-20726-CMB
Per June 8, 2020 proceeding
Chapter: 13
Docket No.: 29 - 5
Concil. Conf.: September 10, 2020 at 09:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 2/27/20 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Sep. 10, 2020 at 09:30 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Huntington National Bank (Cl 4) PNC Bank (Cl 10) .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: June 12, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Brian D. Welsh
 Amy L. Welsh
 Debtors

Case No. 20-20726-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lmar
 Form ID: 149

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 Total Noticed: 43

Date Rcvd: Jun 12, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 14, 2020.

db/jdb
 15207652 ++Brian D. Welsh, Amy L. Welsh, 384 Kenneth Drive, Belle Vernon, PA 15012-3874
 ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157
 (address filed with court: Columbia Gas*, Revenue Recovery/Bankruptcy, PO Box 117,
 Columbus, OH 43216)
 15207659 +Credence Resource Management, LLC, Po Box 2300, Southgate, MI 48195-4300
 15207665 +First National Bank, 4140 E State St, Hermitage, PA 16148-3401
 15207667 +First National Bank, Attn: Bankruptcy, 4140 East State Street, Hermitage, PA 16148-3401
 15207672 +LendingClub, 595 Market St, San Francisco, CA 94105-2807
 15207673 +LendingClub Corporation, 595 Market St, Suite 200, San Francisco, CA 94105-2807
 15207679 +PNC Bank, Po Box 8703, Dayton, OH 45401-8703
 15229417 +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
 15207680 +Pnc Mortgage, Attn: Bankruptcy, Po Box 8819, Dayton, OH 45401-8819
 15207687 West Penn Power-First Energy, PO Box 36157, Akron, OH 44309-3687

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. cr

+E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 13 2020 03:55:22
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15207648 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 13 2020 03:55:41 Capital One,
 Po Box 30281, Salt Lake City, UT 84130-0281
 15207650 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 13 2020 03:54:55 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15224558 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 13 2020 03:55:41
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15207654 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 13 2020 03:48:22 Comenity Bank/Lane Bryant,
 Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15207653 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 13 2020 03:48:22 Comenity Bank/Lane Bryant,
 Po Box 182789, Columbus, OH 43218-2789
 15207656 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 13 2020 03:48:22 Comenity Bank/Peebles,
 Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15207655 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 13 2020 03:48:22 Comenity Bank/Peebles,
 Po Box 182789, Columbus, OH 43218-2789
 15207658 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 13 2020 03:48:22
 Comenity Bank/Victoria Secret, Attn: Bankruptcy, Pob 182125, Columbus, OH 43218-2125
 15207657 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 13 2020 03:48:23
 Comenity Bank/Victoria Secret, Po Box 182789, Columbus, OH 43218-2789
 15207660 +E-mail/Text: bankruptcy@credencerm.com Jun 13 2020 03:49:13
 Credence Resource Management, LLC, 17000 Dallas Parkway, Suite 204,
 Dallas, TX 75248-1940
 15207661 +E-mail/Text: ebnotifications@creditacceptance.com Jun 13 2020 03:48:01 Credit Acceptance,
 25505 West 12 Mile Road, Suite 3000, Southfield, MI 48034-8331
 15207662 +E-mail/Text: ebnotifications@creditacceptance.com Jun 13 2020 03:48:02
 Credit Acceptance Corporation, Po Box 5070, Southfield, MI 48086-5070
 15207663 E-mail/Text: mrdiscen@discover.com Jun 13 2020 03:48:02 Discover Financial, Pob 15316,
 Wilmington, DE 19850
 15212512 E-mail/Text: mrdiscen@discover.com Jun 13 2020 03:48:02 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15207664 +E-mail/Text: mrdiscen@discover.com Jun 13 2020 03:48:02 Discover Financial,
 Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
 15207669 +E-mail/Text: bankruptcy@huntington.com Jun 13 2020 03:48:46 Huntington National Bank,
 Po Box 1558, Columbus, OH 43216-1558
 15207670 +E-mail/Text: bankruptcy@huntington.com Jun 13 2020 03:48:46 Huntington Natl Bk,
 Attn: Bankruptcy, P.O. Box 340996, Columbus, OH 43234-0996
 15207671 E-mail/Text: sbse.cio.bnc.mail@irs.gov Jun 13 2020 03:48:12 Internal Revenue Service,
 PO Box 7346, Philadelphia, PA 19101-7346
 15239783 E-mail/Text: JCAP_BNC_Notices@jcap.com Jun 13 2020 03:49:01 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 15207676 +E-mail/PDF: cbp@onemainfinancial.com Jun 13 2020 03:55:17 OneMain Financial,
 Attn: Bankruptcy, Po Box 3251, Evansville, IN 47731-3251
 15207674 +E-mail/PDF: cbp@onemainfinancial.com Jun 13 2020 03:54:54 OneMain Financial, Po Box 1010,
 Evansville, IN 47706-1010
 15207678 +E-mail/Text: RVSVCBICNOTICE1@state.pa.us Jun 13 2020 03:48:41 PA Department of Revenue,
 Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946
 15207682 +E-mail/PDF: gecsedirecoverycorp.com Jun 13 2020 03:54:50 Synch/JCI Home Design,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
 15207681 +E-mail/PDF: gecsedirecoverycorp.com Jun 13 2020 03:54:53 Synch/JCI Home Design,
 Po Box 965036, Orlando, FL 32896-5036
 15209356 +E-mail/PDF: gecsedirecoverycorp.com Jun 13 2020 03:54:50 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15207684 +E-mail/PDF: gecsedirecoverycorp.com Jun 13 2020 03:54:50 Synchrony Bank/Amazon,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
 15207683 +E-mail/PDF: gecsedirecoverycorp.com Jun 13 2020 03:54:50 Synchrony Bank/Amazon,
 Po Box 965015, Orlando, FL 32896-5015

District/off: 0315-2

User: lmar
Form ID: 149

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Total Noticed: 43

Date Rcvd: Jun 12, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15215989 +E-mail/Text: bankruptcy@huntington.com Jun 13 2020 03:48:47 The Huntington National Bank,
P O Box 89424, Cleveland OH 44101-6424
15236807 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jun 13 2020 03:55:03 Verizon,
by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15207685 +E-mail/Text: bankruptcy@firstenergycorp.com Jun 13 2020 03:48:54 West Penn Power,
5001 NASA Blvd, Fairmont, WV 26554-8248
15207686 +E-mail/Text: bankruptcy@firstenergycorp.com Jun 13 2020 03:48:54 West Penn Power*,
1310 Fairmont Avenue, Fairmont, WV 26554-3526

TOTAL: 32

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC Bank, National Association
15207649* +Capital One, Po Box 30281, Salt Lake City, UT 84130-0281
15207651* +Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15207668* +First National Bank, Attn: Bankruptcy, 4140 East State Street, Hermitage, PA 16148-3401
15207666* +First National Bank, 4140 E State Street, Hermitage, PA 16148-3401
15207677* +OneMain Financial, Attn: Bankruptcy, Po Box 3251, Evansville, IN 47731-3251
15207675* +OneMain Financial, Po Box 1010, Evansville, IN 47706-1010

TOTALS: 1, * 6, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 14, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 12, 2020 at the address(es) listed below:

Christopher M. Frye on behalf of Joint Debtor Amy L. Welsh chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo
ga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-ste
inberg.com
Christopher M. Frye on behalf of Debtor Brian D. Welsh chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo
ga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-ste
inberg.com
James Warmbrodt on behalf of Creditor PNC Bank, National Association bkgroup@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedwpa.com

TOTAL: 5